

1 MARK K. AINLEY, SBN 012961
2 Deputy County Attorney
3 Attorneys for STATE OF ARIZONA
4

SUPERIOR COURT
YAVAPAI COUNTY, ARIZONA

2009 MAY 13 AM 10:39

JEANNE HICKS, CLERK

BY: S Smisko

5 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

6 IN AND FOR THE COUNTY OF YAVAPAI

7 STATE OF ARIZONA,

8 Plaintiff,

9 vs.

10 STEVEN CARROLL DEMOCKER,

11 Defendant.
12

Cause No. CR 2008-1339

Division 6

13 STATE'S NOTICE OF INTENT TO SEEK
14 DEATH PENALTY

15 The State of Arizona, by and through Sheila Sullivan Polk, Yavapai County Attorney, and
16 her deputy undersigned, hereby gives notice, pursuant to Rules 13.5(c) and 15.1(i) of the *Arizona*
17 *Rules of Criminal Procedure*, that it will seek the death penalty against defendant Steven Carroll
18 DeMocker as a result of the following statutory aggravating circumstances according to A.R.S. §
19 13-703:

20 A. 13-703(f)(2): The defendant has been or was previously convicted of a serious
21 offense, whether preparatory or completed. Convictions for serious offenses committed on
22 the same occasion as the homicide, or not committed on the same occasion but
23 consolidated for trial with the homicide, shall be treated as a serious offense under this
24 paragraph.

25 B. 13-703(f)(5): The defendant committed the offense as consideration for the
26 receipt, or in expectation of the receipt, of anything of pecuniary value.

Office of the Yavapai County Attorney

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1 C. 13-703(f)(12): The defendant committed the offense to prevent a person's
2 cooperation with an official law enforcement investigation, to prevent a person's
3 testimony in a court proceeding, in retaliation for a person's cooperation with an official
4 law enforcement investigation or in retaliation for a person's testimony in a court
5 proceeding.

6
7 D. 13-703(f)(13): The offense was committed in a cold, calculated manner without
8 pretense of moral or legal justification.

9 RESPECTFULLY SUBMITTED this 13 day of May, 2009.


10 Sheila Sullivan Polk
11 YAVAPAI COUNTY ATTORNEY

12 By: 
13 Mark K. Ainley
14 Deputy County Attorney

15
16 Copy of the foregoing mailed/delivered
17 May 13, 2009 to:

18 **Honorable Judge Thomas Lindberg**
19 Division 6

20 **John Sears**
21 Attorney for Defendant

22 By: 
23
24
25
26